

**REMARKS**

Reconsideration of the application is respectfully requested.

**I. Status of the Claims**

Claims 23-28 and 30-42 stand rejected.

Claims 1-22 and 29 were previously canceled without prejudice or disclaimer of the subject matter therein.

Claims 23, 34, 39, and 42 are amended. No new matter is added.

Claims 23-28 and 30-42 are pending in the application.

**II. Claim Objections**

The Examiner objects to claim 39 because this claim contains the misspelled word “thee.” Accordingly, claim 39 is amended to correct this typographical error.

**III. Rejections Under 35 U.S.C. § 103**

Claims 23-28 and 30-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,606,315 to Gaskins (“Gaskins”) in view of U.S. Patent No. 5,355,414 to Hale et al. (“Hale”). Applicants respectfully traverse the rejections.

Applicants have amended independent claim 23 to recite the features of page 5, lines 8-10 of the application as filed to further clarify that the portion of memory that is acquired, although initially available to the operating system of the electronic device, is made unavailable to the operating system when it is acquired. Specifically, claim 23 is amended to recite:

23. (Currently Amended) A security system for an electronic device having a memory available for use by an operating system of the electronic device, the security system comprising:

a means arranged to interact with the electronic device to acquire at least a portion of the memory and remove the memory from being available for use by the operating system of the electronic device....

Applicants submit that neither Gaskins nor Hale, alone or in combination, discloses all of the features of amended claim 23.

Gaskins is directed to a system for securing protected data stored in an electronic module that "allows non-sensitive data to be accessed by external communication tools, but prohibits access to the protected data unless a password is first entered." (Gaskins, Abstract). The system includes a microprocessor unit (MPU), a read only memory (ROM), a random access memory (RAM), and an electronically erasable programmable read only memory (EEPROM). (Gaskins, Column 3, Lines 22-26). The ROM contains the program steps for operating the MPU. (Gaskins, Column 3, Lines 33-34). The RAM temporarily stores data which may be read from various locations in accord with the program stored in the ROM. (Gaskins, Column 3, Lines 40-43). The EEPROM stores the protected data. (Gaskins, Column 3, Lines 38-40). A password is also stored in the EEPROM. (Gaskins, Column 3, Lines 38-40). The external tools may access the protected data via a serial communications interface (SCI) if the password is known. (Gaskins, Column 4, Lines 21-52; Figs. 2A, 2B).

Gaskins does not disclose means arranged to interact with an electronic device to acquire at least a portion of memory available for use by an operating system, as recited in claim 23. The EEPROM of Gaskins is a separate memory from the RAM. Furthermore, Gaskins does not disclose removing the EEPROM from being available for use by an operating system. Applicants contend that the status of the EEPROM in Gaskins is not changed in any way. Applicants further contend that even if it could be argued that the EEPROM in Gaskins is available for use by an operating system, at no point does it subsequently change to being unavailable. Thus, Gaskins necessarily does not disclose "remove[ing] the memory from being available for use by the operating system of the electronic device," as recited by amended claim 23.

The Examiner acknowledges that Gaskins does not disclose acquiring memory independent of an operating system. However, the Examiner contends that Hale discloses this feature. (Detailed Office Action, item 7, Page 3). Applicants respectfully disagree with the Examiner. Applicants further submit that the combination of Gaskins and Hale does not disclose interacting with an

electronic device to acquire at least a portion of a memory and removing the memory from being available for use by an operating system of the electronic device, as recited by amended claim 23.

Hale is directed to a security system in which a keyboard and mouse may be disabled after a period of inactivity. (Hale, Abstract). The security system of Hale executes within the keyboard controller and is therefore said to be independent of the host operating system. (Hale, Column 15, Lines 13-16). Applicants respectfully submit that no memory that is available for use by the operating system is acquired in Hale. As discussed in Hale, “no operating routine needs to be installed ... because the security system instructions are always stored in the keyboard controller memory 220. Thus the security routine does not conflict with other application programs.” (Hale, Column 15 Lines 19-24). Thus, since the keyboard controller memory in Hale is not available for use by the operating system, it cannot be removed from being available for use by the operating system.

The combination of Gaskins and Hale does not disclose or suggest acquiring device memory such that it becomes unavailable to the operating system in a manner that is independent of the operating system and controlling access and processing read/write operations to the device memory independently of the operating system. Therefore, for at least the reasons discussed above, Applicants submit that claim 23 is not obvious in view of the combination of Gaskins and Hale.

Independent claims 34 and 42 are, like claim 23, amended to clarify that the portion of memory that is acquired, although initially available to the operating system of the electronic device, is made unavailable to the operating system when it is acquired. Specifically, claim 34 is amended to recite:

34. (Currently Amended) A method of protecting at least a portion of a memory of an electronic device available for use by an operating system of the electronic device comprising the steps of:

interacting with the electronic device to acquire at least a portion of the memory and remove the memory from being available for use by the operating system of the electronic device....

Similarly, claim 42 is amended to recite:

42. (Currently Amended) A program storage device readable by a machine and encoding a program of instructions for interacting with an electronic device, the program of instructions configured to:

acquire at least a portion of a memory available for use by an operating system of the electronic device and remove the memory from being available for use by the operating system ....

Thus, for at least the reasons discussed above with respect to claim 23, claims 34 and 42 are not obvious in view of the combination of Gaskins and Hale.

In light of the foregoing remarks and amendments, Applicants submit that the cited references fail to disclose, teach, or suggest the features of independent claims 23, 34, and 42. Applicants further submit that claims 24-28 and 30-33, which depend from claim 23, and 35-42, which depend from claim 34, are allowable at least by reason of dependency upon an allowable base claim. Consequently, Applicants submit that the present invention is both novel and inventive over the cited references and respectfully request that the rejections be withdrawn.

**CONCLUSION**

In view of the above remarks and amendments, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

It is believed that all appropriate fees were submitted with this response. Should the U.S. Patent and Trademark Office determine that additional fees are owed or that any refund is owed for this application, the Commissioner is hereby authorized and requested to charge the required fee(s) and/or credit the refund(s) owed to our Deposit Account No. 04-0100.

Dated: March 16, 2009

Respectfully submitted,

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